

REMARKS

The Office Action rejected Claims 1, 2, 36 and 37 under 35 U.S.C. § 102(e) as being anticipated by Publication 2003/0174782 A1 of Papadimas et al. The Office Action objected to Claims 3-23 as being dependent upon a rejected base claim, and noted that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim.

The Examiner's finding of allowable subject matter in Claims 3-23 is gratefully acknowledged.

Claims 3-5, 7, 9, 11, 13, 14 and 37 have been amended and a new Claim 38 is presented. No new matter is presented. Claims 1-2 and 36 are cancelled. Claims 24-35 were previously cancelled.

To advance prosecution, and further to the Examiner's finding of allowable subject matter, Claims 3, 4, 5, 7, 9, 11 and 13 have been amended to present these claims in independent form by adding subject matter previously presented in Claim 1, from which these claims had directly or indirectly depended.

The amendment to independent Claim 37 presents a recitation formerly presented in Claim 14 and also includes a recitation of generating a transmission coding matrix with four rows corresponding to transmission time periods and four columns corresponding to four transmit antennas for achieving transmit diversity, which is not disclosed or suggested in the cited references.

Independent Claim 38 includes a recitation of generating a transmission coding matrix with four rows corresponding to transmission time periods and three columns corresponding to three transmit antennas for achieving transmit diversity, which is not disclosed or suggested in the cited references.

Accordingly, all of the pending claims, i.e. Claims 3-23 and 37-38, are believed to be in condition for allowance. If there are any questions or if additional information is required, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell
Registration No. 33,494
Attorney for Applicant(s)

THE FARRELL LAW FIRM, P.C.
333 Earle Ovington Blvd., Ste. 701
Uniondale, New York 11553
(516) 228-3565